

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

KIM FULLER, §  
§  
Plaintiff, §  
§  
v. § C.A. NO. 3:15-cv-1764  
§  
PRIMERICA LIFE INSURANCE §  
COMPANY, §  
§  
Defendant. §

**NOTICE OF REMOVAL**

Defendant Primerica Life Insurance Company (“Primerica”) files this notice of removal and state:

**1. The Lawsuit.** Plaintiff Kim Fuller (“Fuller”) filed her Plaintiff’s Original Petition on April 27, 2015, in the 40<sup>th</sup> Judicial District of Ellis County, Texas, being numbered 91445 on the docket of said court and being a suit to recover benefits under a life insurance policy (the “Policy”).

**2. Diversity Jurisdiction.** Plaintiff was a citizen of Texas at the time this action was filed and remains a citizen of Texas as of the date of this removal. Primerica is a Massachusetts corporation with its principal place of business in Georgia, both at the time this action was filed and as of the date of this removal. Moreover, the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs. *See* Petition ¶ 5 (“Plaintiff seeks actual damages in an amount greater than \$200,000 but not more than \$1,000,000”). Thus, complete diversity of citizenship exists between Plaintiff

and Primerica, and the amount in controversy is satisfied. The Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1332, and this action may be removed by Primerica pursuant to 28 U.S.C. § 1441. Venue is proper in this Court under 28 U.S.C. § 1391, as this action was pending in a state court within this district and division.

**3. State Court Documents Attached.** Primerica was served through its registered agent on May 1, 2015. As such, this removal is timely under 28 U.S.C. § 1446(b). Pursuant to Local Rule 81, attached hereto as Exhibit “A” is an Index of State Court Matters, which contains true and correct copies of all process, pleadings, or orders received or filed in this action as of the filing of this removal. Also attached hereto as Exhibit “B” is a Certificate of Interested Parties.

**4. Relief Requested.** Primerica respectfully request that the United States District Court for the Northern District of Texas, Dallas Division, accept this notice of removal and that it assume jurisdiction of this cause and issue all such further orders and processes as may be necessary to bring before it all parties necessary for the final trial hereof.

Respectfully submitted,

By: /s/ Bill E. Davidoff

Bill E. Davidoff

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ATTORNEYS FOR DEFENDANT  
PRIMERICA LIFE INSURANCE COMPANY

**CERTIFICATE OF SERVICE**

I hereby certify that on May 21, 2015, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all parties who have appeared and registered with CM/ECF.

/s/ Bill E. Davidoff

Bill E. Davidoff